

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5

In re application of:

Mike MUHL, et al.

Application. No.: 10/501,578

Art Unit: To Be Assigned

Filed: July 14, 2004

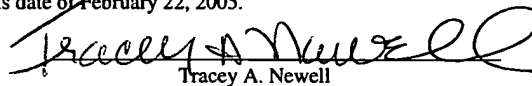
Examiner: To Be Assigned

Title: MEASURING AND SENSOR ASSEMBLY FOR
DETERMINING A CHARACTERISTIC OF A FLUID :
AND METHOD FOR OPERATING THE SAME :

Docket No. WEM-07601

Certificate of Mailing

I hereby certify that the foregoing documents are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date of February 22, 2005.


Tracey A. NewellRESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated February 10, 2005 for the above-referenced patent application, Applicant respectfully submits an executed Declaration and Power of Attorney, a copy of the translation of the application into English, a copy of the Notification of Missing Requirements under 35 U.S.C. 371 and a check in the amount of \$260.00 to cover the late oath or declaration surcharge and English Translation surcharge for a large entity.

Although we believe that we have appropriately provided for any fees due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our **Deposit Account No. 031721**. Two originally-executed copies of this form are being submitted.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 248-4038.

Respectfully submitted,
CHOATE, HALL & STEWART LLP

February 22, 2005

Date

Customer No.: 26339

Patent Group

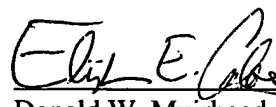
Choate, Hall & Stewart LLP

Exchange Place

53 State Street

Boston, MA 02109-2804

3830475_1.DOC

 Reg. No. 47,499
for: Donald W. Muirhead
Reg. No. 33,978

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

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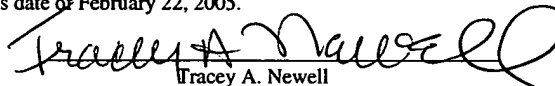
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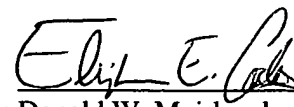
Choate, Hall & Stewart LLP

Exchange Place

53 State Street

Boston, MA 02109-2804

3830475_1.DOC

 Reg. No. 47,499
 /s/ Donald W. Muirhead
 Reg. No. 33,978

AMENDMENT TRANSMITTAL LETTER

Packet Number

WEM-07601

Application Number
10/501,578

Filing Date
July 14, 2004

Examiner
To be assigned

Group Art Unit
To be assigned

Invention Title

MEASURING AND SENSOR ASSEMBLY FOR DETERMINING A CHARACTERISTIC OF A FLUID AND METHOD FOR OPERATING THE SAME

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application, including:

- (X) Preliminary Amendment (11 Pages);
- (X) Response to Notice to File Missing Requirements (in duplicate) and check for \$260.00;
- (X) Copy of Notice to File Missing Requirements;
- (X) Executed Declaration and Power of Attorney;
- (X) English Translation of PCT Application (12 Pages);
- (X) Information Disclosure Statement (in duplicate);
- (X) Form PTO-1449;
- (X) Copies of References cited in IDS;
- (X) Copy of International Search Report; and
- (X) Postcard Receipt.

CLAIMS AS AMENDED

	(1)		(2)		(3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	26	Minus	20	6	X \$50	\$300.00
INDEPENDENT CLAIMS	4	Minus	3	1	x \$200	\$200.00
MULTIPLE DEPENDENT CLAIM ADDED					\$360	
					TOTAL	\$500.00
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL		\$

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the highest number previously paid for IN THIS SPACE is less than 20, enter "20."
 *** If the highest number previously paid for IN THIS SPACE is less than 3, enter "3."
 The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.

- () Please charge **Deposit Account Number 03-1721** in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- (X) A check in the amount of **\$500.00** is enclosed to cover the filing fee,
- (X) Please credit any overpayment and/or charge any additional filing fees required under 37 CFR §§ 1.16 and 1.17 to our **Deposit Account Number 03-1721**. A duplicate copy of this sheet is enclosed.

03/02/2005 GFREY1 00000130 10501578

01 FC:16:17 130.00 OP
 02 FC:16:18 130.00 OP
 03 FC:16:15 300.00 OP
 04 FC:16:14 200.00 OP

Ed E. [Signature] Reg. No. 47,499
 Donald W. Muirhead, Reg. No. 33,978

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 22, 2005.
Tracey A. Newell [Signature]
 Tracey A. Newell

February 22, 2005
 Date



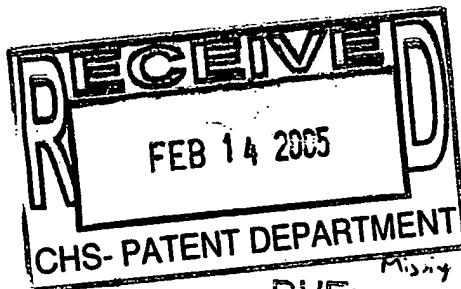
UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 24 FEB 2005

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,578	Mike Muhl	WEM-07601

Patent Group
 Choate Hall & Stewart
 Exchange Place
 53 State Street
 Boston, MA 02109-2804



INTERNATIONAL APPLICATION NO.	
PCT/EP02/14585	
LA. FILING DATE	PRIORITY DATE
12/19/2002	01/17/2002

CONFIRMATION NO. 9309

371 FORMALITIES LETTER



OC000000015137999

Date Mailed: 02/10/2005

Respond to Missing Rights
 DUE: 4-10-05
 FINAL: 9-10-05

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/14/2004
- Copy of the International Search Report filed on 07/14/2004
- Copy of IPE Report filed on 07/14/2004
- Request for Immediate Examination filed on 07/14/2004
- U.S. Basic National Fees filed on 07/14/2004
- Priority Documents filed on 07/14/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$260 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,578	PCT/EP02/14585	WEM-07601